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09/881,603

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Sean W. March

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12/30/2004

EXAMINER

MACE, BRAD THOMAS

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ART UNIT

PAPER NUMBER

2663

DATE MAILED: 12/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/881,603

Applicant(s)

MARCH ET AL.

Examiner

Brad T. Mace

Art Unit

2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 10-17 and 20-27 is/are rejected.
- 7) ☒ Claim(s) 7-9, 18 and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 13-15, 20-22, 27 are rejected under 35 U.S.C. 102(a) as being anticipated by Sparks et al. (SIP Telephony Service Examples With Call Flows, as submitted by applicant).

Regarding claim 13:

Sparks discloses an article comprising at least one storage medium containing instructions for providing a call session (pg. 3, paragraph 4), the instructions when executed causing a system to:

receive a call request (section 2.8, line 6);

establish a call session between the first endpoint and a second endpoint in which media is exchanged between the first endpoint and the second endpoint (section 2.8, lines 6-7); and

change the second endpoint to a third endpoint in the call session to enable communication of media between the first endpoint, wherein changing the second endpoint to the third endpoint is accomplished without exchanging call setup signaling with the first endpoint (section, lines 6-11).

Regarding claim 14:

Sparks further discloses wherein changing the first endpoint to another endpoint in the call session without exchanging call setup signaling with the second endpoint (section 2.8, hence it would have been obvious to apply the reverse where the first endpoint is pivoted to another endpoint without exchanging call setup signaling to the second endpoint in the same manner the second endpoint was pivoted to another endpoint without exchanging call setup signaling with the first endpoint).

Regarding claim 15:

Sparks further discloses wherein further sending a call request to the third endpoint to change endpoints in the call session but not sending a call request to the first endpoint (section 2.8, lines 6-11).

Regarding claim 20:

Sparks further discloses wherein to receive the call request by receiving a SIP INVITE message (pg. 3, paragraph 5).

Regarding claim 21:

Sparks discloses a method of providing a call session, comprising:
establishing a call session between a first endpoint and a second endpoint to enable media communication of media between the first and second endpoints (section 2.8, lines 6-7); and

pivoting the second endpoint to a third endpoint in the call session without exchanging call setup signaling with the first endpoint to enable media communication between the first and third endpoints (section 2.8, lines 6-11).

Regarding claim 22:

Sparks further discloses sending a call request to the third endpoint, but not sending a call request to the first endpoint, to pivot the second endpoint to the third endpoint in the call session (section 2.8, lines 6-11).

Regarding claim 27:

Sparks further discloses wherein establishing the call session comprises establishing a Session Initiation Protocol session (pg. 3, paragraphs 1-2).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Publication No. 20010015981 (Nelson et al.) in view of Sparks et al. (SIP Telephony Service Examples With Call Flows, as submitted by applicant).

Regarding claim 1:

Nelson discloses a system comprising:

one or more interfaces to one or more corresponding networks coupled to plural endpoints (paragraph [0005], where an interface exists between the first communication device and the network, and the second communication device and the network); and

a controller adapted to receive a call request and to establish a call session between a first endpoint and a second endpoint in which media is exchanged between the first and second endpoints (paragraph [0060] and paragraph [0072], lines 1-4, and

Figure 1, where the signaling processor and interworking unit comprise the call trigger system);

a controller adapted to further pivot the second endpoint to one other endpoint in the call session (paragraph [0072]).

However, Nelson does not disclose expressly wherein pivoting the second endpoint to one other endpoint in the call session is done without exchanging call setup signaling with the first endpoint to enable media to be exchanged between the first endpoint and the other endpoint.

Sparks discloses wherein pivoting the second endpoint to one other endpoint in the call session is done without exchanging call setup signaling with the first endpoint to enable media to be exchanged between the first endpoint and the other endpoint (section 2.8).

A person of ordinary skill in the art would have been motivated to employ Sparks in Nelson in order to transmit media between the first endpoint and the other endpoint without having to exchange call setup signaling with the first endpoint. At the time the invention was made, therefore, it would have been obvious to one of ordinary skill in the art to which the invention pertains to combine Sparks with Nelson (collectively Nelson-Sparks) to obtain the invention as specified in claim 1. The suggestion/motivation to do so would have been to provide a way to transmit media between the first endpoint and the other endpoint without having to exchange unnecessary call setup signaling with the first endpoint.

Regarding claim 2:

Nelson discloses substantially all the claimed modified invention as specified above, however, does not disclose expressly wherein the controller is adapted to further pivot the first endpoint to another endpoint in the call session without exchanging call setup signaling with the second endpoint.

Sparks discloses pivoting the second endpoint to one other endpoint in the call session is done without exchanging call setup signaling with the first endpoint (section 2.8, hence it would have been obvious to apply the reverse where the first endpoint is pivoted to another endpoint without exchanging call setup signaling to the second endpoint in the same manner the second endpoint was pivoted to another endpoint without exchanging call setup signaling with the first endpoint).

A person of ordinary skill in the art would have been motivated to employ Sparks in Nelson in order to pivot the first endpoint to another endpoint without exchanging call setup signaling with the second endpoint. At the time the invention was made, therefore, it would have been obvious to one of ordinary skill in the art to which the invention pertains to combine Sparks with Nelson (collectively Nelson-Sparks) to obtain the invention as specified in claims 1, 2. The suggestion/motivation to do so would have been to apply the reverse, where the first endpoint is pivoted to another endpoint without exchanging call setup signaling to the second endpoint in similar fashion to the second endpoint being pivoted to another endpoint without exchanging call setup signaling with the first endpoint.

Regarding claims 3, 4:

Nelson discloses substantially all the claimed modified invention as specified above, however, does not disclose expressly wherein the controller is adapted to process SIP messages, the call request comprising an INVITE message and wherein the controller pivots the second endpoint to the one other endpoint by sending a second call request to the other endpoint.

Sparks discloses processing SIP messages (pg. 3, paragraphs 1-2), the call request comprising an INVITE message (pg. 3, paragraph 5) and wherein pivoting the second endpoint to the one other endpoint is done by sending a second call request to the other endpoint (section 2.8, 6-11).

A person of ordinary skill in the art would have been motivated to employ Sparks in Nelson in order to have the controller adapted to process SIP messages, where the call request comprises an INVITE message and where the controller pivots the second endpoint to the one other endpoint by sending a second call request to the other endpoint. At the time the invention was made, therefore, it would have been obvious to one of ordinary skill in the art to which the invention pertains to combine Sparks with Nelson (collectively Nelson-Sparks) to obtain the invention as specified in claims 1, 3, and claims 1, 4. The suggestion/motivation to do so would have been to use the SIP standard in a call session and where a second call request is needed in order to notify the other endpoint of establishing a call session.

Regarding claim 5:

Nelson further discloses wherein the controller (paragraphs [0055], [0056]) comprises a control portion to process call control signaling (paragraph [0060]), the call

control signaling comprising the call request (paragraph [0060]), the controller further comprising a media engine to control communication of media packets between the first and second endpoints and between the first and the other endpoints (paragraph [0072]).

5. Claims 6, 10, 11, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Publication No. 20010015981 (Nelson et al.) in view of Sparks et al. (SIP Telephony Service Examples With Call Flows, as submitted by applicant) as applied to claims 1-5 above, and further in view of U.S. Patent No. 6,731,642 (Borella et al.).

Regarding claims 6, 10:

Nelson discloses substantially all the claimed modified invention as specified above, however, does not disclose expressly wherein the media engine comprises network address translation information for media communication between the first endpoint and the second endpoint and where both the source and destination address of a packet containing media using the address translation information is converted.

Borella discloses network address translation information for media communication between the first endpoint and the second endpoint and where both the source and destination address of a packet containing media using the address translation information is converted (Figure 1, and col. 4, lines 52-67 though col. 5, lines 1-15).

A person of ordinary skill in the art would have been motivated to employ Borella in Nelson-Sparks in order to have the media engine provide network address translation for media communication between the first endpoint and the second endpoint and where both the source and destination address of a packet containing media using the

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address translation information is converted. At the time the invention was made, therefore, it would have been obvious to one of ordinary skill in the art to which the invention pertains to combine Borella with Nelson-Sparks (collectively Nelson-Sparks-Borella) in order to obtain the invention as specified in claims 1, 4, 5, and 6, and in claims 1, 4, 5, and 10. The suggestion/motivation to do so would have been to provide privacy and security between the two endpoints.

Regarding claim 11:

Nelson further discloses wherein the media engine is adapted to act as a portal through which media packets between the first and second endpoints flow (paragraph [0072], lines 1-4, interworking unit).

Regarding claim 12:

Nelson discloses substantially all the claimed modified invention as specified above, however, does not disclose expressly wherein the media engine is adapted to shield an address of the first endpoint from the second endpoint and to shield an address of the second endpoint from the first endpoint.

Borella discloses shielding an address of the first endpoint from the second endpoint and to shield an address of the second endpoint from the first endpoint (Figure 1, and col. 4, lines 52-67 though col. 5, lines 1-15).

A person of ordinary skill in the art would have been motivated to employ Borella in Nelson-Sparks in order to shield an address of the first endpoint from the second endpoint and to shield an address of the second endpoint from the first endpoint. At the time the invention was made, therefore, it would have been obvious to one of ordinary

skill in the art to which the invention pertains to combine Borella with Nelson-Sparks (collectively Nelson-Sparks-Borella) in order to obtain the invention as specified in claims 1, 4, 5, 10, 11, and 12. The suggestion/motivation to do so would have been to provide privacy and security between the two endpoints.

6. Claims 16, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sparks et al. (SIP Telephony Service Examples With Call Flows, as submitted by applicant) in view of US Publication No. 20010015981 (Nelson et al.).

Regarding claim 16:

Sparks et al. discloses substantially all the claimed invention as specified above, however, does not disclose expressly wherein to further receive a completion indication from the second endpoint, and in response to the completion indications, to send the call request to the third endpoint.

Nelson discloses wherein to further receive a completion indication from the second endpoint, and in response to the completion indications, to send the call request to the third endpoint (paragraph [0100] through paragraph [0101], lines 1-9).

A person of ordinary skill in the art would have been motivated to employ Nelson in Sparks in order to obtain a system where the second endpoint sends a completion indication and where call request to the third endpoint results from the completion indication. At the time the invention was made, therefore, it would have been obvious to one of ordinary skill in the art to which the invention pertains to combine Nelson with Sparks (collectively Sparks-Nelson) in order to obtain the invention as specified in claims 13, 16. The suggestion/motivation to do so would have been to provide

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connection to the third endpoint once communication is desired between the first endpoint and the third endpoint.

Regarding claim 23:

Sparks discloses substantially all the claimed invention as specified above, however, does not disclose expressly further communicating media packets through a media portal between the first endpoint and either of the second and third endpoints.

Nelson discloses communicating media packets through a media portal between the first endpoint and either of the second endpoint and third endpoints (paragraph [0072], lines 1-4, interworking unit).

A person of ordinary skill in the art would have been motivated to employ Nelson in Sparks in order to communicate media packets through a media portal between the first endpoint and either of the second and third endpoints. At the time the invention was made, therefore, it would have been obvious to one of ordinary skill in the art to which the invention pertains to combine Nelson with Sparks (collectively Sparks-Nelson) in order to obtain the invention as specified in claims 21, 23. The suggestion/motivation to do so would have been to provide a device to facilitate and manage the communications between the first endpoint and the second point or between the first endpoint and the third endpoint.

7. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sparks et al. (SIP Telephony Service Examples With Call Flows, as submitted by applicant) in view of U.S. Patent No. 6,731,642 (Borella et al.).

Regarding claim 17:

Sparks discloses substantially all the claimed invention as specified above, however, does not disclose expressly to further send one or more requests to a media engine to establish network address translation information for media communicated through the media engine between the first and second endpoints.

Borella discloses to further send one or more requests to a media engine to establish network address translation information for media communicated through the media engine between the first and second endpoints (Figure 1, and col. 4, lines 52-67 though col. 5, lines 1-15, routers).

A person of ordinary skill in the art would have been motivated to employ Borella in Sparks in order to establish network address translation information for media communicated through the media engine (routers) between the first and second endpoints. At the time the invention was made, therefore, it would have been obvious to one of ordinary skill in the art to which the invention pertains to combine Borella with Sparks (collectively Sparks-Borella) in order to obtain the invention as specified in claims 13, 17. The suggestion/motivation to do so would have been to provide privacy and security between the two endpoints.

8. Claims 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sparks et al. (SIP Telephony Service Examples With Call Flows, as submitted by applicant) in view of US Publication No. 20010015981 (Nelson et al.) as applied to claim 23 above, and further in view of U.S. Patent No. 6,731,642 (Borella et al.).

Regarding claims 24-26:

Sparks discloses substantially all the claimed modified invention as specified above, however, does not disclose expressly further comprising storing network address translation information in the media portal and performing network address translation, at the media portal, of address contained in the media packets, wherein performing network address translation of both the source and destination address of each media packet, and further comprising the media portal shielding an address of the first endpoint from either of the second or third endpoint and shielding an address of either the second or third endpoint from the first endpoint.

Borella discloses further comprising storing network address translation information and performing network address translation of addresses contained in the media packets (Figure 1, and col. 4, lines 52-67 though col. 5, lines 1-15, hence network address translation information stored in the routers), wherein performing network address translation of both the source and destination address of each media packet (Figure 1, and col. 4, lines 52-67 though col. 5, lines 1-15), and further comprising shielding an address of the first endpoint from the second endpoint and shielding an address of the second endpoint from the first endpoint (Figure 1, and col. 4, lines 52-67 though col. 5, lines 1-15).

A person of ordinary skill in the art would have been motivated to employ Borella in Sparks-Nelson in order to obtain performing network address translation of addresses contained in the media packets, wherein performing network address translation of both the source and destination address of each media packet and shielding an address of the first endpoint from the second endpoint and shielding an address of the second

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endpoint from the first endpoint. At the time the invention was made, therefore, it would have been obvious to one of ordinary skill in the art in which the invention pertains to combine Borella in Sparks-Nelson (collectively Sparks-Nelson-Borella) in order to obtain the invention as specified in claims 21, 23, 24, in claims 21, 23, 24, 25, and in claims 21, 23, 24, 25, and 26. The suggestion/motivation to do so would have been to provide privacy and security between the two endpoints.

Allowable Subject Matter

9. Claims 7-9, 18, and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brad T. Mace whose telephone number is (571) 272-3128. The examiner can normally be reached on Monday -Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (571) 272-3126. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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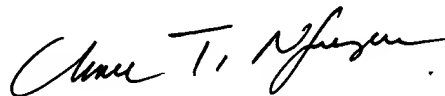
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btm

Brad T. Mace
Examiner
Art Unit 2663

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December 9, 2004



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